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10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE EASTERN DISTRICT OF CALIFORNIA

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13 **LETRINH HOANG, D.O., PHYSICIANS
FOR INFORMED CONSENT, a not-for
14 profit organization, and CHILDREN'S
HEALTH DEFENSE, CALIFORNIA
15 CHAPTER, a California Nonprofit
Corporation,**

16 Plaintiffs,

17 v.

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19 **ROB BONTA, in his official capacity as
Attorney General of California, and ERIKA
20 CALDERON, in her official capacity as
Executive Officer of the Osteopathic
21 Medical Board of California ("OMBC"),**

22 Defendants.
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2:22-cv-02147-WBS-AC

**SECOND STIPULATION TO EXTEND
TIME TO RESPOND TO COMPLAINT**

Dept: 5
Judge: Hon. William B. Shubb
Trial Date: Not Scheduled
Action Filed: 12/01/2022

STIPULATION

This stipulation is entered into by and among Plaintiffs and Defendants, by and through their representative counsel:

WHEREAS,

1. Plaintiffs filed this action on December 1, 2022;
2. On December 8, 2022, this matter was related to *Hoeg v. Newsom*, No. 22-cv-1980 [ECF No. 9];
3. Plaintiffs filed a motion for a preliminary injunction, which was heard on January 23, 2023;
4. On January 25, 2023, the Court issued an Order granting Plaintiffs' motion for a preliminary injunction [ECF. No. 30];
5. Per Stipulation and Order, Defendants' responses to the Complaint are currently due on February 24, 2023;
6. Pending before the United States Court of Appeals for the Ninth Circuit ("Ninth Circuit") are the consolidated appeals of *McDonald, et al. v. Lawson, et al.*, Appeal No. 22-56220, and *Couris, et al. v. Lawson, et al.*, Appeal No. 23-55069, (the "Consolidated Appeals"), which involve similar constitutional challenges to the same California statute, AB 2098, by plaintiff-physicians;
7. In the Consolidated Appeals, the Ninth Circuit issued a briefing schedule as follows: opening briefs due February 2, 2023, the consolidated answering brief due March 2, 2023, and the optional reply briefs due within 21 days after service of the consolidated answering brief;
8. The parties agree that good cause is established for a second extension of time for Defendants to respond to the Complaint because the parties believe that first obtaining an opinion from the Ninth Circuit in the Consolidated Appeals will be beneficial to judicial economy. This extension is the parties' second request related to the Complaint and will not affect any of the other dates set in this case.

This stipulated extension does not constitute a waiver of any claim, right, or defense.

CERTIFICATE OF SERVICE

CASE NAME: HOANG, ET AL. V. BONTA

USDC CASE NO. 2:22-CV-02147-WBS-AC

I hereby certify that on February 21, 2023, I electronically filed the following documents with the Clerk of the Court by using the CM/ECF system:

1. SECOND STIPULATION TO EXTEND TIME FOR ALL DEFENDANTS TO RESPOND TO THE COMPLAINT

I certify that **all** participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

I declare under penalty of perjury under the laws of the State of California and the United States of America the foregoing is true and correct and that this declaration was executed on February 21, 2023, at Los Angeles, California.

Naadirah Crawford
Declarant

Naadirah Crawford
Signature